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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/629,942	07/29/2003	Mustafa Michael Pinarbasi	HSJ920030061US1	1930

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08/04/2005

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San Jose, CA 95193

EXAMINER

WATKO, JULIE ANNE

ART UNIT	PAPER NUMBER
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2653

DATE MAILED: 08/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/629,942

Applicant(s)

PINARBASI, MUSTAFA MICHAEL

Examiner

Julie Anne Watko

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 31 January 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) 8-13 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 07/29/2003.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Election/Restrictions*

1. Applicant's election without traverse of group I, claims 1-7, in the reply filed on January 31, 2005, is acknowledged. Claims 8-13 are withdrawn from consideration as drawn to a non-elected method.

### *Specification*

2. The abstract of the disclosure is objected to because it refers to a non-elected method. Correction is required. See MPEP § 608.01(b).

### *Claim Objections*

3. Claims 1, 4 and 6 are objected to because of the following informalities:

Claim 1 recites the limitations "the first lead layer" and "the second lead layer" in lines 11 and 12, respectively. Neither "first lead layer" nor "second lead layer" has been previously recited. The Examiner suggests -- [the] a first lead layer -- and -- [the] a second lead layer --.

The Examiner similarly objects to similar recitations in claims 4 and 6.

Appropriate correction is required.

### *Claim Rejections - 35 USC § 112*

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1-7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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Claim 1 recites the limitation “a read gap material layer” in line 6. It is unclear whether this limitation refers to one of the “first and second read gap layers” of claim 1, line 4, or to an additional layer.

Claim 2 recites the limitation “a nonmagnetic electrically insulative second read gap layer” in line 4. It is unclear whether this limitation refers to one of the “first and second read gap layers” of claim 1, line 4, or to the read gap material layer of claim 1, line 6, or to an additional layer.

Claim 4 recites the limitation “a first read gap material layer” in line 8. It is unclear whether this limitation refers to the first gap of claim 4, line 6, or to an additional layer.

Claim 4 recites the limitation “a nonmagnetic electrically insulative second read gap layer” in line 18. It is unclear whether this limitation refers to the second gap of claim 4, line 6, or to an additional layer.

Claim 6 recites the limitation “a read gap material layer” in line 9. It is unclear whether this limitation refers to one of the “first and second read gap layers” of claim 6, line 7, or to an additional layer.

Claim 6 recites the limitation “a first read gap layer” in line 18. It is unclear whether this limitation refers to the first read gap layer of claim 6, line 7, or to an additional layer.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

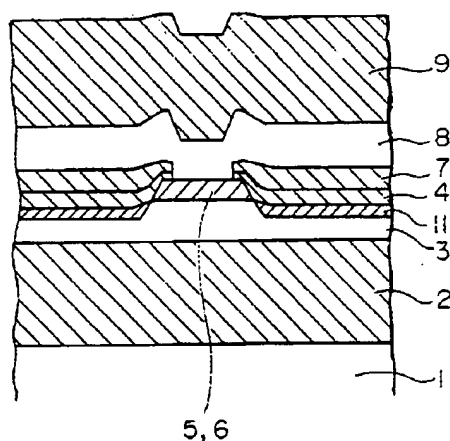
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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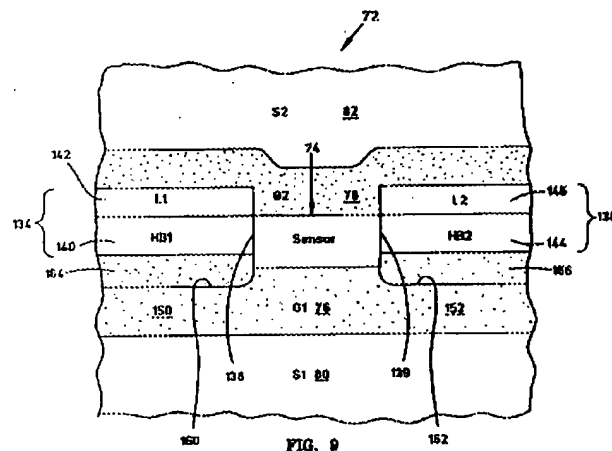
7. Claims 1-7, to the extent understood, are rejected under 35 U.S.C. 102(b) as being anticipated by Taniyama et al (US Pat. No. 5897969).

Due to similarities in the recited limitations, some claims are treated together.

**Taniyama et al  
Fig. 5**



**Applicant's  
Fig. 9**



As recited in claims 1, 4 and 6, to the extent understood, Taniyama et al show a magnetic read head (see Fig. 5) that has a head surface comprising a read sensor (including 5) that forms a portion of said head surface and has first and second side walls which extend into the read head from said head surface; nonmagnetic electrically insulative first 3 and second 8 read gap layers; the read sensor 5 being located between first and second read gap layers (3 and 8), a read gap material layer 3 having first and second depressions which extend laterally from the first and second side walls respectively of the sensor (see shape of 3 in Fig. 5); nonmagnetic electrically insulative first and second refill gap layers 11 disposed in the first and second depressions, but not disposed on at least a portion of each of said first and second side walls; and a first lead layer

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7 being electrically connected to said at least a portion of the first side wall and a second lead layer 7 being electrically connected to said at least a portion of the second side wall.

As recited in claims 4 and 6, to the extent understood, Taniyama et al show the read head (including 5) adjacent a write head (including 9, 13 and 14; see Fig. 1).

All disk drive limitations recited in claim 6 are inherent to the “magnetic disc apparatuses” taught by Taniyama et al (see col. 1, lines 9-16).

As recited in claims 2 and 6, Taniyama et al show a ferromagnetic first shield layer 2, the first read gap layer 3 interfacing the first shield layer, a nonmagnetic electrically insulative second read gap layer 8 interfacing the sensor, and a ferromagnetic second shield layer 9 interfacing the second read gap layer 8.

As recited in claims 3, 5 and 7, Taniyama et al show first and second hard (“CoPt”, see col. 19, line 35) bias layers 4 interfacing the first and second refill gap layers 11 and said at least a portion of each of the first and second side walls, and said first and second lead layers 7 interfacing the first and second hard bias layers 4.

### *Conclusion*

8. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Julie Anne Watko whose telephone number is (571) 272-7597. The examiner can normally be reached on Tue & Thu until 5, Wed until 3:30, Mon & Fri late.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William R. Korzuch can be reached on (571) 272-7589. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Julie Anne Watko  
Primary Examiner  
Art Unit 2653

August 2, 2005  
JAW

A handwritten signature in black ink, appearing to read 'JAW', is written over the printed name and title of the examiner.